

108TH CONGRESS  
1ST SESSION

# S. 1414

To restore second amendment rights in the District of Columbia.

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## IN THE SENATE OF THE UNITED STATES

JULY 15, 2003

Mr. HATCH (for himself, Mr. MILLER, Mrs. HUTCHISON, Mr. CRAIG, Mr. CORNYN, Mr. SESSIONS, Mr. DOMENICI, Mr. CHAMBLISS, Mr. BURNS, Mr. SUNUNU, Mr. ENZI, Mr. BUNNING, Mr. ALLEN, Mr. STEVENS, Mr. CAMPBELL, Mr. GRASSLEY, Mr. THOMAS, Mr. GRAHAM of South Carolina, and Mr. CRAPO) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

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## A BILL

To restore second amendment rights in the District of  
Columbia.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

### 3   **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “District of Columbia  
5   Personal Protection Act”.

### 6   **SEC. 2. CONGRESSIONAL FINDINGS.**

7       Congress finds the following:

1           (1) The Second Amendment to the United  
2 States Constitution provides that the right of the  
3 people to keep and bear arms shall not be infringed.

4           (2) The Second Amendment to the United  
5 States Constitution protects the rights of individ-  
6 uals, including those who are not members of a mili-  
7 tia or engaged in military service or training, to  
8 keep and bear arms.

9           (3) The law-abiding citizens of the District of  
10 Columbia are deprived by local laws of handguns, ri-  
11 fles, and shotguns that are commonly kept by law-  
12 abiding persons throughout the rest of the United  
13 States for sporting use and for lawful defense of  
14 persons, homes, and families.

15           (4) The District of Columbia has the highest  
16 per capita murder rate in the Nation, which may be  
17 attributed in part to local laws prohibiting posses-  
18 sion of firearms by law-abiding persons who would  
19 otherwise be able to defend themselves and their  
20 loved ones in their own homes and businesses.

21           (5) The Federal Gun Control Act of 1968, as  
22 amended by the Firearms Owners' Protection Act of  
23 1986, and the Brady Handgun Violence Prevention  
24 Act of 1993, provide comprehensive Federal regula-  
25 tions applicable in the District of Columbia as else-

1       where. In addition, existing District of Columbia  
2       criminal laws punish possession and illegal use of  
3       firearms by violent criminals and felons. Con-  
4       sequently, there is no need for local laws which only  
5       disarm law-abiding citizens.

6           (6) Legislation is required to correct the Dis-  
7       trict of Columbia's law in order to restore the rights  
8       of its citizens under the Second Amendment to the  
9       United States Constitution and thereby enhance  
10      public safety.

11 **SEC. 3. REFORM D.C. COUNCIL'S AUTHORITY TO RESTRICT**  
12 **FIREARMS.**

13      Section 303.43 of title 1, District of Columbia Code,  
14 is amended by adding at the end the following: "This sec-  
15 tion shall not be construed to permit the Council, the  
16 Mayor, or any governmental or regulatory authority of the  
17 District of Columbia to prohibit, constructively prohibit,  
18 or unduly burden the ability of persons otherwise per-  
19 mitted to possess firearms under Federal law from acquir-  
20 ing, possessing in their homes or businesses, or using for  
21 sporting, self-protection or other lawful purposes, any fire-  
22 arm neither prohibited by Federal law nor regulated by  
23 the National Firearms Act. The District of Columbia shall  
24 not have authority to enact laws or regulations that dis-

1 courage or eliminate the private ownership or use of fire-  
 2 arms.”.

3 **SEC. 4. REPEAL D.C. SEMIAUTOMATIC BAN.**

4 Section 2501.01(10) of title 7, District of Columbia  
 5 Code, is amended to read as follows:

6 “(10) Machine gun means any firearm which  
 7 shoots, is designed to shoot, or can be readily con-  
 8 verted or restored to shoot automatically, more than  
 9 1 shot by a single function of the trigger.”.

10 **SEC. 5. REPEAL REGISTRATION REQUIREMENT.**

11 Section 2502.01 of title 7, District of Columbia Code,  
 12 is amended—

13 (1) in subsection (a)—

14 (A) by striking “, and no person or organi-  
 15 zation in the District shall possess or control  
 16 any firearm, unless the person or organization  
 17 holds a valid registration certificate for the fire-  
 18 arm”; and

19 (B) by striking beginning with “A registra-  
 20 tion” through paragraph (3); and

21 (2) in subsection (b)—

22 (A) in paragraphs (1) and (2), by striking  
 23 “firearm or”;

24 (B) in paragraph (2), by striking the semi-  
 25 colon at the end and inserting a period; and

1 (C) by striking paragraph (3).

2 **SEC. 6. REPEAL D.C. HANDGUN BAN.**

3 Section 2502.02 of title 7, District of Columbia Code,  
4 is amended—

5 (1) in subsection (a)—

6 (A) in paragraph (2), by inserting “or”  
7 after the semicolon;

8 (B) in paragraph (3), by striking “; or”  
9 and inserting a period;

10 (C) by striking paragraph (4); and

11 (D) by striking “(a)”; and

12 (2) by striking subsection (b).

13 **SEC. 7. REPEAL HANDGUN AMMUNITION BAN.**

14 Section 2506.01 of title 7, District of Columbia Code,  
15 is repealed.

16 **SEC. 8. RESTORE RIGHT OF SELF DEFENSE IN THE HOME.**

17 Section 2507.02 of title 7, District of Columbia Code,  
18 is repealed.

19 **SEC. 9. ADDITIONAL REPEALS.**

20 Sections 2502.03, 2502.04, 2502.05, 2502.06,  
21 2502.07, 2502.08, 2502.09, 2502.10, and 2502.11 of title  
22 7, District of Columbia Code, are repealed.

1 **SEC. 10. REMOVE CRIMINAL PENALTIES FOR POSSESSION**  
 2 **OF UNREGISTERED FIREARMS.**

3 Section 2507.06 of title 7, District of Columbia Code,  
 4 is amended—

5 (1) by striking “that:” through “(1) A” and in-  
 6 serting “that a”; and

7 (2) by striking paragraph (2).

8 **SEC. 11. REMOVE CRIMINAL PENALTIES FOR CARRYING A**  
 9 **PISTOL IN ONE’S DWELLING OR OTHER**  
 10 **PREMISES.**

11 Section 4504(a) of title 22, District of Columbia  
 12 Code, is amended—

13 (1) in the matter before paragraph (1), by in-  
 14 serting “, except in his dwelling house or place of  
 15 business or on other land possessed by that person,  
 16 whether loaded or unloaded,” before “a pistol”; and

17 (2) in paragraph (1), by striking “a pistol,  
 18 without a license pursuant to District of Columbia  
 19 law, or”.

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